

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

New York Independent System Operator, Inc. and)
New York State Electric & Gas Corporation) Docket No. ER21-1312-000
)
)

**ANSWER OF
NEW YORK INDEPENDENT SYSTEM OPERATOR, INC.**

Pursuant to Rule 213 of the Commission’s¹ Rules of Practice and Procedure,² the New York Independent System Operator, Inc. (“NYISO”) respectfully submits this answer in response to comments submitted by Alice Sokolow (“Commenter”) on April 7, 2021, in the above-captioned proceeding.³ Commenter alleges discrepancies in the timeframe of Baron Winds LLC (“Baron Winds”) modifying its wind project from a single phase to a two phase project.

The Commission should reject Commenter’s assertions and accept the NYISO and New York State Electric & Gas Corporation’s (“NYSEG”) joint filing of the Amended and Restated Large Generator Interconnection Agreement among the NYISO, NYSEG, and Baron Winds (“Amended Agreement”). This proceeding solely concerns the NYISO and NYSEG’s filing at the Commission for its acceptance of an amended version of an interconnection agreement previously filed with and accepted by the Commission.⁴ As described in the filing letter, the Amended

¹ Capitalized terms not defined in this answer shall have the meaning set forth in Attachments S and Z of the NYISO Open Access Transmission Tariff (“OATT”), or in Section 1 of the OATT.

² 18 C.F.R. § 385.213 (2014).

³ The NYISO may answer comments as a matter of right. *See* 18 C.F.R. 385.213(a)(3) (2012).

⁴ *New York Independent System Operator and New York State Electric & Gas Corp.*, Letter Order, Docket No. ER20-1100-000 (April 2, 2020).

Agreement fully conforms with the NYISO's *pro forma* Large Generator Interconnection Agreement in Attachment X of the NYISO Open Access Transmission Tariff ("OATT") and should be accepted.

Commenter does not request that the Commission not accept the Amended Agreement or raise any specific assertions concerning the agreement. Instead, Commenter provides vague allegations of deficiencies concerning the timeframe for modifications to the Baron Wind project in the New York State siting process. Commenter appears to conflate the requirements of the NYISO's Large Facility Interconnection Procedures ("LFIP") in Attachment X of the NYISO OATT and New York State's Article 10 proceeding for siting generating facilities. A Developer may propose to modify its project at any time in the LFIP, subject to a NYISO evaluation and determination that the proposed modification is not material.⁵ This modification process is not tied to and does not depend on the status of the interconnection agreement for the project. In addition, this modification process solely concerns how the project is addressed in the NYISO's interconnection procedures. A Developer's need to satisfy its obligations in the OATT to interconnect its project is separate from any obligation it may have under New York State law concerning the siting of the project.

In this instance, Baron Winds requested that the NYISO evaluate a proposed modification to split its wind project into two phases. The NYISO performed this evaluation and concluded that the modification was not material, and the Developer elected to proceed with this change. As the NYISO, NYSEG, and Baron Wind had already executed a Large Generator Interconnection Agreement for the project, the parties agreed to amend the agreement to reflect the modified project. Any action that Baron Winds may or may not be required to take at the New York Public Service Commission to address any changes to its project as it relates to the siting of the project is beyond the scope of the NYISO's interconnection procedures and immaterial to this proceeding.

⁵ See NYISO OATT Section 30.4.4.3.

The NYISO respectfully requests that the Commission accept this Answer and accept the Amended Agreement.

Respectfully submitted,

By: /s/ Michael J. Messonnier, Jr.
Michael J. Messonnier, Jr.
Counsel for
New York Independent System Operator, Inc.
Hunton Andrews Kurth LLP
951 East Byrd Street
Richmond, VA 23219
Tel: (804) 788-8200
mmessonnier@hunton.com

April 20, 2021

cc: Janel Burdick
Matthew Christiansen
Jignasa Gadani
Jette Gebhart
Leanne Khammal
Kurt Longo
John C. Miller
David Morenoff
Douglas Roe
Frank Swigonski
Eric Vandenberg
Gary Will

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding in accordance with the requirements of Rule 2010 of the Rules of Practice and Procedure, 18 C.F.R. §385.2010.

Dated at Rensselaer, NY this 20th day of April 2021.

/s/ Joy A. Zimmerlin

Joy A. Zimmerlin
New York Independent System Operator, Inc.
10 Krey Blvd.
Rensselaer, NY 12144
(518) 356-6207